

09/12/01

JC923 U.S. PTO

Please type a sign (+) inside this box

+ PTO/SB/05 (08-00)

Approved for use through 10/31/2002. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

PS-805

First Inventor

ROSEN, Craig

Title

Human Secreted Proteins

Express Mail Label No.

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

- Fee Transmittal Form (e.g., PTO/SB/17) (in duplicate)
(Submit an original, and a duplicate for fee processing)
- Applicant claims small entity status.
See 37 CFR 1.27.
- Specification [Total Pages 4,546]
 - Descriptive title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (*if filed*)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
- Drawing(s) (35 U.S.C. 113) [Total Sheets 1]
- Declaration [Total Pages 4]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- Application Data Sheet. See 37 CFR 1.76.

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. CD-ROM or CD-R in duplicate, large table or Computer Program (*Appendix*)
8. Nucleotide and/or Amino Acid Sequence Submission (*if applicable, all necessary*)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper (12,317 pages)
 - c. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet and document(s)) (3 pp.)
10. 37 CFR 3.73(b) Statement Power of Attorney
11. English Translation Document (*if applicable*)
12. Information Disclosure Statement/ Form PTO/SB/08
 - Copies of Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503)
 - (should be specifically itemized)*
15. Certified copy of Priority Document(s)
 - (if foreign priority is claimed)*
16. Other:

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-Part (CIP)

of prior application No: 60/278,650 filed March 27, 2001

Group/Art Unit:

Prior application information: Examiner _____
For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18. CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label

22195

or Correspondence address below

NAME			
ADDRESS			
CITY	STATE	ZIP CODE	
COUNTRY	TELEPHONE	FAX	
NAME (Print/Type)	Registration No. (Attorney/Agent) <u>40,302</u>		
SIGNATURE	Date <u>September 7, 2001</u>		

Statement: this form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Box Patent Application, Washington, DC 20231.

FEE TRANSMITTAL for FY 2001		<i>Complete if Known</i>	
<i>Patent fees are subject to annual revision.</i>			
		Application Number	To be assigned
		Filing Date	September 12, 2001
		First Named Inventor	ROSEN, Craig
		Examiner Name	To be assigned
		Group Art Unit	To be assigned
Total amount of payment	(\$ 982.00)	Attorney Docket Number	PS-805
METHOD OF PAYMENT (CHECK ONE)		FEE CALCULATION (CONTINUED)	
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to: Deposit Account Number 08-3425 Deposit Account Human Genome Sciences, Inc. Name		3. ADDITIONAL FEES	
<input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17		Large Entity	Small Entity
<input type="checkbox"/> Applicant claims small entity status		Fee Code (\$)	Fee Code (\$)
<input type="checkbox"/> See 37 CFR 1.27		Fee (\$)	Fee (\$)
2. <input type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input checked="" type="checkbox"/> Other*		Fee Description	Fee Paid
*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 08-3425		105 130 205 65	Surcharge - late provisional filing fee or cover sheet
		127 50 227 25	Surcharge - late provisional filing fee or cover sheet
		139 130 139 130	Non-English specification
		147 2,520 147 2,520	For filing a request for <i>ex parte</i> reexamination
		112 920 112 920	Requesting publication of SIR prior to Examiner action
		113 1,840 113 1,840	Requesting publication of SIR after Examiner action
		115 110 215 55	Extension for reply within first month
		116 390 216 195	Extension for reply within second month
		117 890 217 445	Extension for reply within third month
		118 1,390 218 695	Extension for reply within fourth month
		128 1,890 228 945	Extension for reply within fifth month
		119 310 219 155	Notice of Appeal
		120 310 220 155	Filing a brief in support of an appeal
		121 270 221 135	Request for oral hearing
		138 1,510 138 1,510	Petition to institute a public use proceeding
FEE CALCULATION			
1. BASIC FILING FEE			
Large Entity	Small Entity	Entity	Fee Description
Fee (\$)	Fee (\$)	Fee (\$)	Fee Paid
103 710 201 355		Utility filing fee	\$710.00
106 320 206 160		Design filing fee	
107 490 207 245		Plant filing fee	
108 710 208 355		Reissue filing fee	
114 150 214 75		Provisional filing fee	
Subtotal (1)		\$710.00	
2. EXTRA CLAIM FEES			
		Extra	Fee from below
Total claims	23	+ 20**	4 18.00 \$ 72.00
Indep. claims	5	- 4**	2 80.00 \$160.00
Multiple Dependent			\$
Large Entity	Small Entity	Entity	Fee Description
Fee (\$)	Fee (\$)	Fee (\$)	
103 18 203 9		Claims in excess of 20	
102 80 202 40		Independent claims in excess of 3	
104 270 204 135		Multiple dependent claim	
108 80 209 40		**Reissue independent claims over original patent	
110 18 210 9		**Reissue claims in excess of 20 and over original patent	
Subtotal (2)		(\$)232.00	
Submitted By		<i>Complete if applicable</i>	
Name (Print/Type) Kenley K. Hoover	Registration No.: 40,302	Telephone	301-610-5771
Signature: 	Date	September 12, 2001	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: ROSEN et al.

Application Serial No.: Unassigned

Art Unit: Unassigned

Filed: Concurrently herewith

Examiner: Unassigned

For: Human Secreted Proteins

Atty. Docket No.: PS-805

**TRANSMITTAL AND SUBMISSION UNDER
37 C.F.R. §§ 1.824 and 1.52(e)(3)(ii)**

Commissioner For Patents
Washington, D.C. 20231

Sir:

In accordance with 37 C.F.R. § 1.824, Applicants submit herewith one compact disc (CD-R). The CD-R labeled CRF contains the Sequence Listing to satisfy the computer readable form. A Statement Under 37 C.F.R. § 1.821 is enclosed herewith.

The enclosed CD-R labeled CRF contains the Sequence Listing on the following format specifications:

1. Machine format: IBM-PC
2. Operating System: MS-Windows
3. Name of Files: PS805_SeqList.txt
4. Size: 37,855,502 bytes
5. Date of Creation: September 10, 2001

Respectfully submitted,

Date: September 12, 2001


Kenley K. Hoover (Reg. No. 40,302)
Attorney for Applicants

Human Genome Sciences, Inc.
9410 Key West Avenue
Rockville, MD 20850
Telephone: (301) 610-5771

KKH/DS/lcc
Enclosure